WP(C) 1386/2007
BEFORE
THE HON'BLE MR JUSTICE D. BISWAS, CHIEF JUSTICE (ACTING)
THE HON'BLE MR. JUSTICE B.P. KATAKEY

21/03/2007

Heard Mr BK Mahajan, learned counsel for the petitioners; Mrs. B Goyal, learned State counsel and also Mr. Baruah, learned Central Govt. Counsel .

The grievance of the petitioner in the present writ petition is that he has been subjected to undue harassment by the army/ C.R.P.F/police personnel tho ugh there is no case registered against him and, that too, without following the law laid down by the Apex Court in D.K. Basu -vs- State of West Bengal, 1997 (1) SCC 416 and Naga People's Movement of Human Rights -Vs.- Union of India, repor ted in 1997(III) GLT (S.C) 50.

Upon hearing the learned counsel for the parties, we dispose of this wri t petition with a direction to the respondent authority not to harass the writ p etitioner unduly. It is, however, open to the authority to question/ interrogate the writ petitioner or any members of his family in connection with any case re gistered against him and while doing so, the authority shall definitely follow t he law laid down by the Apex Court in D.K. Basu -vs- State of West Bengal, 1997 (1) SCC 416 and Naga People's Movement of Human Rights -Vs.- Union of India, rep orted in 1997(III) GLT (S.C) 50.

Subject to the above observation/ direction, this writ petition stands d isposed of.